

With respect to the Commission's specific forbearance proposals, we generally support the Commission's tentative conclusions. Broadband and narrowband PCS, cellular, SMR and all other mobile systems offering CMS should be forborne from regulation under the statutory provisions listed in Appendix A hereto. Other sections of the Communications Act including Sections 223 (Obscene/harassing telephone calls), Section 225 (Services for the hearing impaired), Section 226 (Telephone operator service, Section 227 (Autodialer/telemarketeer restrictions) and Section 228 (Pay-per-call services) present special cases where appropriate consumer protections should remain applicable. We have no objection if the Commission decides to regulate CMS offerings insofar as such matters are involved.

V. Right To Interconnection Of Commercial Mobile Service Providers.

The Commission should require commercial mobile service providers to provide interconnection to other mobile service providers only where necessary to assure that the operations of adjacent non-regional systems providing CMS offerings in the same radio service have a fair opportunity to interconnect to promote regional roaming.

We strongly oppose imposition of equal access obligations upon any class of PCS provider. The arguments against imposing such obligations in terms of inconvenience to CMS users and cost burden upon users, providers and the Commission have previously been made in response to the Petition of MCI Telecommunications

Corporation (RM-8012). The expanded opportunities for competition among mobile service providers made possible by ESMR, broadband PCS, 220-222 MHz and other services also underscore the similarly expanding opportunities for interexchange carriers to gain access to users. The Commission has expressed its tentative view that the level of competition in the CMS marketplace is adequate to forebear from tariff and related statutory requirements. In consideration of the same matters, the Commission should also decline to adopt equal access limitations.

#### CONCLUSION

The implementation of Sections 3(n) and 332 of the Communications Act presents the Commission with a unique opportunity to make an important break with longstanding policies and practices which have impaired and in some cases blocked healthy competition and the full achievement of the benefits of competition and have added to the cost of mobile services borne by all users. Recent White House initiatives promoting "reinventing government" also make clear that the savings in terms of meaningful regulatory forbearance will benefit not just the users of mobile services, but an even broader range of the users of all services regulated by the Commission.

Some aspects of the Commission's proposals undoubtedly will be considered controversial. The competitive market conditions in the mobile services industry will also be substantially altered as regulatory parity is implemented.

Because the potential consumer benefits from competition are great and the opportunities for decisive change so rare, the Commission should not hesitate to adopt expansive regulatory forbearance, flexible regulatory policies permitting the provision of CMS and private services on the same mobile system, classification of "store-and-forward" paging services as private services, provision of dispatch-type services by cellular and other radiotelephone carriers and rigorous regulatory parity safeguards.

Respectfully submitted,

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**APPENDIX A**  
**Commission "Forbearance" Proposals**

Section	Subject	PCS	Cellular	Other CMS
203	(Tariffs)	Support	Support	Support
204	(Hearings re: new Charges)	Support	Support	Support
205	(Prescription of Rates)	Support	Support	Support
211	(Filing of Contracts)	Support	Support	Support
214	(Certification of Public Convenience and Necessity)	Support	Support	Support
210	(Franks and Passes)	Support	Support	Support
212	(Interlocking Directorates)	Support	Support	Support
213	(Valuation of Property)	Support	Support	Support
215	(Transactions re: Services/Equipment)	Support	Support	Support
218	(Inquiries into Management)	Support	Support	Support
219	(Annual/Other Reports)	Support	Support	Support
220	(Accounts/Records/Depreciation)	Support	Support	Support
221	(Special Provisions re: Telephone Companies)	Support	Support	Support